

Message Text

PAGE 01 STATE 163820

63

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TO AMEMBASSY WARSAW

INFO AMEMBASSY COPENHAGEN

AMEMBASSY TOKYO

UNCLAS STATE 163820

E.O. 11652: N/A

TAGS: EFIS, PL

SUBJECT: NORTHEAST PACIFIC BILATERAL FISHERIES AGREEMENT

REF: WARSAW 4189

1. PURSUANT TO REFTEL REQUEST, DEPT HAS REVIEWED ARTICLE 3 OF PACIFIC FISHERIES AGREEMENT, AND ON BASIS OF THIS REVIEW WE DO NOT BELIEVE THAT LANGUAGE IN ARTICLE 3 NEEDS TO BE CHANGED. EFFECT OF PARAGRAPHS A(1) AND (2) OF ARTICLE 3 IS THAT POLISH VESSELS MAY FISH IN BERING SEA EAST OF THE INTERNATIONAL DATE LINE AND WEST OF 175 DEGREES WEST LONGITUDE IN WATERS ADJACENT TO THE ALEUTIAN ISLANDS SEAWARD OF A LIMIT OF 20 MILES FROM THE COAST BETWEEN 175 DEGREES 00 MINUTES WEST LONGITUDE AND 179 DEGREES 00 MINUTES EAST LONGITUDE AND WATERS ADJACENT TO THE UNCLASSIFIED

PAGE 02 STATE 163820

ALEUTIAN ISLANDS SEAWARD OF A LIMIT OF 12 MILES FROM THE COAST IN THE AREA BETWEEN 179 DEGREES 00 MINUTES EAST LONGITUDE AND THE INTERNATIONAL DATE LINE. BY TERMS OF ARTICLE 3, POLES ARE RESTRICTED FROM FISHING

IN BERING SEA EXCEPT FOR AREAS LISTED IN SUBPARAGRAPHS A(1) AND (2), WHICH ARE LARGE AREAS, ADJACENT TO ALEUTIANS SEAWARD OF THE 12 AND 20 MILE LIMITS, RATHER THAN SMALL AREAS AS EXPRESSED BY MR. ANDERS.

DEPT BELIEVES THAT THERE IS NO BASIC SUBSTANTIVE PROBLEM, AND THAT POLES MAY BE SIMPLY MIS-READING TEXT OF ARTICLE. IN DISCUSSING THIS WITH ANDERS, IT MIGHT BE HELPFUL TO POINT OUT THAT SUBPARAGRAPHS A(1) AND (2) BOTH CONTAIN THE WORD QUOTE SEAWARD UNQUOTE, AND THUS DESCRIBE RELATIVELY LARGE AREAS NEAR THE ALEUTIAN ISLANDS, EXCLUDING ONLY THE SMALL BANDS OF WATERS WITHIN 12 OR 20 MILES OF THE COAST. EFFECT OF CHANGE SUGGESTED BY MR. ANDERS WOULD BE TO LIMIT POLISH FISHING TO NARROW AREA BETWEEN 12 AND 20 MILES FROM COAST OF ALEUTIANS BETWEEN 175 DEGREES AND 179 DEGREES WEST LONGITUDE.

2. DEPT OFFICER HAS SPOKEN WITH FIRST SECRETARY KRYSTOSIK CONCERNING THIS MATTER, EXPLAINING OUR VIEWS. HE APPEARED TO UNDERSTAND OUR READING OF ARTICLE 3 AND SAID HE WOULD REPORT BACK TO WARSAW.

3. MR. ANDERS ATTENTION SHOULD ALSO BE CALLED TO ORAL UNDERSTANDING REACHED WITH MINISTER PIETRASZEK THAT POLISH FLEET WILL NOT ENGAGE IN FISHING IN NORTHERNMOST AREA OF BERING SEA, AT TOP OF TRIANGLE. THIS AREA IS CURRENTLY FISHED HEAVILY BY JAPANESE. UNDER AGREEMENT CONCLUDED WITH US IN DECEMBER 1974, JAPANESE FISHERY FOR POLLOCK WAS SHARPLY REDUCED (30 PERCENT CUT) TO PROTECT STOCK AND IT WOULD HAVE BEEN ILLOGICAL FOR US TO PERMIT POLES TO FISH FOR POLLOCK IN THIS AREA. FOR THIS REASON, POLISH FISHERY IN BERING SEA HAS BEEN RESTRICTED TO AREAS ADJACENT TO ALEUTIAN ISLANDS BUT OUTSIDE OF DESIGNATED CLOSED AREAS.

4. THROUGH ASSISTANCE OF POLISH EMBASSY, L. NAKATSU DIRECTOR OF OFFICE OF FISHERIES AFFAIRS, OES/OFA, UNCLASSIFIED

PAGE 03 STATE 163820

MET FOR SEVERAL HOURS WITH CAPT. T. BREZINSKI, POLISH FLEET COMMANDER IN SAN FRANCISCO, 3 JULY. PURPOSE OF MEETING WAS TO EXCHANGE VIEWS WITH BREZINSKI TO MAKE SURE THAT HE CLEARLY UNDERSTOOD PROVISIONS OF AGREEMENT. ONE OF SUBJECTS DISCUSSED WAS ARTICLE 3 WHICH WAS CAREFULLY EXPLAINED TO BREZINSKI.

5. A MAJOR PURPOSE OF MEETING WITH BREZINSKI WAS TO NOTIFY HIM THAT US BELIEVES ON BASIS OF CONSERVATIVE ESTIMATE THAT POLISH FLEET HAS ALREADY REACHED LEVEL OF THEIR 1974 CATCH (44,300 METRIC TONS) WHICH POLES AGREED NOT TO EXCEED IN 1975 UNDER TERMS OF MAY AGREEMENT. BREZINSKI WAS REQUESTED TO CHECK INTO THIS MATTER

IMMEDIATELY AFTER HE JOINS HIS FLEET AND TO ORDER FLEET

TO STOP FISHING FOR HAKE IMMEDIATELY. HE AGREED TO LOOK INTO MATTER IMMEDIATELY AND WOULD NOTIFY US AUTHORITIES OF HIS FINDINGS. AS OF JULY 11, WE HAVE NOT YET HEARD FROM HIM.

6. FYI. IN DISCUSSION WITH BREZINSKI, HE INDICATED HE WAS INFORMED PRIOR TO HIS DEPARTURE FROM WARSAW THAT POLISH CATCH OF HAKE THIS YEAR AS OF JUNE 30 WAS 25,000 METRIC TONS. THIS NUMBER IS LESS THAN 30,000 METRIC TONS WHICH MINISTER PIETRASZEK INDICATED THAT THE POLISH FLEET HAD TAKEN SO FAR IN 1975 DURING MAY NEGOTIATIONS. THIS DISCREPANCY HAS BEEN CALLED TO BREZINSKI'S ATTENTION. INGERSOLL

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